

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

ORDER SHEET

APPLICATION NO _____ OF _____

Applicant (s)

Respondent (s)

Advocate for
Applicant (s)

Advocate for
Respondents (s)

Notes Of the Registry

Orders Of The Tribunal

O.A. No. 303/2004

Date of order: 17.12.2004

Mr. R.S. Saluja, counsel for the applicant.

Heard the learned counsel for the applicant.

The case of the applicant is that he has been removed from service on the allegations that he had produced forged educational certificate at the time of his appointment. After the inquiry the service of the applicant was terminated vide order Annexure A/1 dated 3rd September, 1996. Against the said order, the applicant had submitted an appeal which is still pending. It is pointed out that during the pendency of the appeal, a civil suit was filed against the Institute for a declaration that he is possessed of genuine certificate. However, no one appeared on behalf of the Institute to oppose the suit and in these circumstance a judgement and decree has come to be passed in favour of the applicant that the certificate which is alleged to be forged one is genuine. The applicant has submitted an application to the authorities to reconsider his case in view of the judgement and decree. However, till date no order has been passed. Having regard to the facts and circumstances and since the matter is pending before the appellate authority, it would be appropriate if the directions are issued to the appellate authority to decide the appeal and pass a reasoned and speaking order on the same. Accordingly, the O.A. is allowed to this extent and the respondents are directed to decide the appeal of the applicant within a period of three months from the date of receipt of a copy of this order and pass a reasoned and speaking order in accordance with the rules and instructions. The O.A. stands disposed of accordingly.

(G.R. Patwardhan)
Adm. Member

(Kuldeep Singh)
Vice Chairman

Copy of order

OA, MA & Petition

Annexures OA, MA

Sent to R1, to R2,

by Special Post

Regd AD

Vide no. 277 to

280

dt 22.12.04

Received by
31/12/04

R.S. Saluja